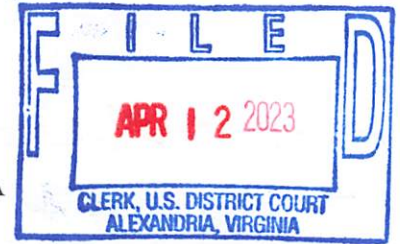


District Judge
Assign. by Clerk's Ofc.

IN THE UNITED STATES DISTRICT COURT
for the ~~WESTERN~~ DISTRICT OF VIRGINIA
~~EASTERN~~



Mag. Referral Judge
Assign. by Clerk's Ofc.

For use by Inmates filing a Complaint under

**CIVIL RIGHTS ACT, 42 U.S.C. §1983 or BIVENS v. SIX UNKNOWN NAMED AGENTS
OF FED. BUREAU OF NARCOTICS, 403 U.S.C. §388 (1971)**

JOSEPH BURNSEN

Plaintiff full name

1435299

Inmate No.

DEPT OF JUSTICE

V. SA SHANE D. DANA

CIVIL ACTION NO.

1:23cv495

(Assigned by Clerk's Office)

SA PRESTON BOSCH

Defendant(s) full name(s)

FEDERAL BUREAU OF INVESTIGATION (F.B.I)

A. Where are you now? Name and address of facility RED UNION

STATE PRISON, 10800 N. JACK ROSE HWY,

POUND VA 24279

B. Where did this action take place? PRINCE WILLIAM COUNTY

C. Have you begun an action in state or federal court dealing with the same facts involved in this complaint?

Yes X No

If your answer to A is Yes, answer the following:

1. Court: _____

2. Case Number: _____

D. Have you filed any grievances regarding the facts of this complaint?

Yes X No

1. If your answer is Yes, indicate the result:

2. If your answer is No, indicate why:

THE PLAINTIFF FIRST SUBMITTED A F.O.I.A AND WHEN I WAS DENIED,
I APPEALED AND DENIED AGAIN 2019, I THEN FELT, FILING A STATE
HABEAS PETITION WITH EXPEDITE MY CHANCES TO RECEIVE ALL FEDERAL
REPORTS. HOWEVER, MY STATE HABEAS IS STILL CURRENTLY PENDING
SINCE OCTOBER 2019. I JUST RECENTLY TRIED FILING A WRIT OF
ACTUAL INNOCENCE CLAIM, CURRENTLY UNDER APPEAL, THEY
ESSENTIALLY RULED I NEED MORE EVIDENCE TO ESTABLISH MY CLAIMS →

- E. Statement of Claim(s): State briefly the facts in this complaint. Describe what action(s) each defendant took in violation of your federal rights and include the relevant dates and places. **Do not give any legal arguments or cite any cases or statutes.** If necessary, you may attach additional page(s). Please write legibly.

Claim #1 – Supporting Facts – Briefly tell your story without citing cases or law:

SEE ATTACHED HANDWRITTEN PAGES
(30)

Claim #2 – Supporting Facts – Briefly tell your story without citing cases or law:

- F. State what relief you seek from the Court. Make no legal arguments and cite no cases or statutes.

SEE PAGE #29 - #30

- G. If this case goes to trial, do you request a trial by jury? Yes X No _____

- H. If I am released or transferred, I understand it is my responsibility to immediately notify the court in writing of any change of address **after** I have been released or transferred or my case may be dismissed.

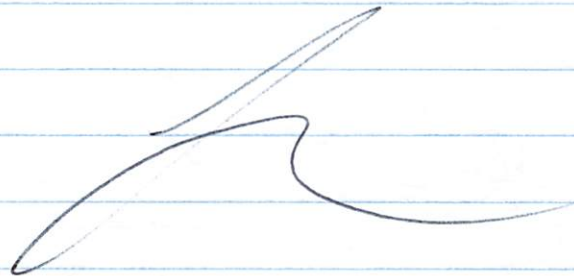
SIGNATURE:  Date 3-28-23

VERIFICATION:

I, JOSEPH ROMERO, state that I am the plaintiff in this action, and I know the content of the above complaint; that it is true of my own knowledge, except as to those matters that are stated to be based on information and belief, and as to those matters, I believe them to be true. I further state that I believe the factual assertions are sufficient to support a claim of violation of constitutional rights. Further, I verify that I am aware of the provisions set forth in 28 U.S.C. §1915 that prohibit an inmate from filing a civil action or appeal, if the prisoner has, on three or more occasions, while incarcerated brought an action or appeal in federal court that is dismissed on the grounds that it was frivolous, malicious, or failed to state a claim upon which relief may be granted, unless the prisoner is in imminent danger of serious physical injury. I understand that if this complaint is dismissed on any of the above grounds, I may be prohibited from filing any future actions without the pre-payment of the filing fees. I declare under penalty of perjury the foregoing to be true and correct.

SIGNATURE:  Date: 3-28-23

CONTINUATION PAGE FOR D-2
IN PART, AGAINST THE F.B.I. I THEN
DECIDED TO FILE A 1983 CIVIL SUIT
AFTER DISCOVERING VARIOUS CASE LAWS
WHERE INMATES LIKE ME (PLAINTIFF)
WERE SUCCESSFUL OBTAINING ALL FEDERAL
REPORTS IN SIMILAR CASES LIKE
WITH THE PLAINTIFF.

A handwritten signature in black ink, consisting of a large, stylized capital 'K' followed by a horizontal stroke that curves upwards at the end.

PG-1

CLAIM #1 - SUPPORTING FACTS

THE CRUX OF THIS 1983 CIVIL SUIT COMPLAINT COMES FROM THE FACT THAT THE PLAINTIFF DETERMINED POST CONVICTION, THAT THE FBI WERE DIRECTLY AND PRIMARILY INVOLVED IN THE PLAINTIFF STATE INVESTIGATION THAT HAD THE PLAINTIFF CONVICTED IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY VIRGINIA. THAT THE PLAINTIFF STATE HABEAS CORPUS PETITION, CURRENTLY STILL PENDING FOR REVIEW WITH THE CIRCUIT COURT OF P.W.C, (CASE NO CL20-3921 AND CM19-872) DESCRIBES COUNTLESS OF CLAIMS ACCUSING, IN PART, CERTAIN PROSECUTORS WITH THE PRINCE WILLIAM COUNTY COMMONWEALTH OFFICE, CONSPIRED WITH THE F.B.I (AGENTS) TO ALTER, CONCEAL, MANIPULATE AND TAMPER WITH FEDERAL REPORTS AND OTHER EVIDENCE THAT THE F.B.I HAD COLLECTED DURING THE COURSE OF THEIR INITIAL INVESTIGATION, SO AS TO OBSTRUCT JUSTICE AND HAVE THE PLAINTIFF WRONGLY CONVICTED.

THAT THE PLAINTIFF, POST CONVICTION, DID SUBMIT A FREEDOM OF INFORMATION ACT PETITION (5 U.S.C 552) WITH THE DEPT OF JUSTICE AND THE FEDERAL BUREAU

RGA

OF INVESTIGATION, ON NOVEMBER 17, 2016, (FOIA NO: 136147-000) SEEKING ALL REPORTS AND DOCUMENTS GENERATED IN THE COURSE OF THEIR INVESTIGATION AND HIS REQUEST WAS DENIED, SOMETIME EARLY 2018, BASED ON EXCEPTION RULE D; "DISCLOSE INVESTIGATION TECHNIQUES AND PROCEDURE" AND THE PLAINTIFF BELIEVES ALSO EXCEPTION RULE A "INTERFERE WITH ENFORCEMENT PROCEEDING"

THE PLAINTIFF APPEALED THE INITIAL DECISION AND EVEN HAD SPOKEN TO THE ATTORNEY ASSIGNED BY THE DOJ TO REVIEW THE PLAINTIFF APPEAL AND EVENTUALLY THE PLAINTIFF REQUEST FOR REPORTS WERE DENIED AGAIN, EARLY/LATE 2019. (APPEAL RECORD NO UNAVAILABLE).

THE PLAINTIFF REQUEST WERE REASONABLE, TO WHICH, ALL HE REQUESTED (AT THE TIME) WERE ALL FD-302 INTERVIEW REPORTS FOR THE ACCUSED IN THE PLAINTIFF'S STATE CASE, CORTIS HAZEN (C-H) WHO WAS THE STATES ONLY WITNESS/EVIDENCE USED TO CONVICT THE PLAINTIFF IN THE STATE CIRCUIT COURT AND TO CONFIRM THE EXACT TIMELINE WHEN C-H FIRST CONTACTED THE F.B.I TO REPORT

PG 3

ANYTHING REGARDING THE PLAINTIFF AND YET, AS REASONABLE AS SUCH REQUEST WAS, HE WAS DENIED.

THE PLAINTIFF, (IN PART ONLY) UNDER BRADY V. MARYLAND, FINDS HE'S ENTITLED TO ALL REPORTS GENERATED BY THE F.B.I. CONSIDERING WHAT HE HAS UNCOVERED POST CONVICTION THAT SHOWS THE F.B.I. ENGAGED IN A BEHAVIOR WITH STATE PROSECUTORS AND CERTAIN INVESTIGATORS WITH PRINCE WILLIAM COUNTY POLICE, SO AS TO OBSTRUCT JUSTICE AND HAVE THE PLAINTIFF WRONGFULLY ARRESTED AND CONVICTED.

FURTHERMORE, THE PLAINTIFF EXPLAINED TO THE ASSIGNED DOJ ATTORNEY, THAT;

- A. AT BEST, THE FEDERAL GOVERNMENT HAD TO PROVIDE A DETAILED EXPLANATION RELATING TO EACH FD-302 REPORT THEY CLAIM FALLS UNDER EXCEPTION AND WHY SUCH REPORT, IN ITS ENTIRETY MUST BE WITHHELD AND NOT REDACTED AND THAT THE GOVERNMENT BEARS THE BURDEN OF ESTABLISHING THAT THE EXEMPTION APPLIES UNDER 552(A)4-B

PG 4

B I ALSO EXPLAINED TO THE ASSIGNED DOJ ATTORNEY THAT THE PLAINTIFF REQUEST, AT BEST, TO PROVIDE AN ITEMIZATION AND INDEX OF THE DOCUMENTS THEY CLAIM TO BE EXEMPT, CORRELATING SPECIFIC STATEMENTS IN SUCH JUSTIFICATION WITH ACTUAL PORTIONS OF THE REQUESTED DOCUMENTS AS HAS BEEN DONE WITH VAUGHN V. ROSEN 484 F.2d 820 (D.C. CIR 1973) AND WHERE DOJ ATTORNEY REFUSED SUCH REQUEST

AND WHEREAS THE PLAINTIFF STATES THE FOLLOWING FACTS IN SUPPORT OF HIS 1983 CIVIL SUIT TO OBTAIN COPIES OF ALL FD302 REPORTS, DOCUMENTS, PETITIONS, AFFIDAVITS, SUBPONAS, SEARCH WARRANTS, AND TRANSCRIPTS THAT WERE COLLECTED BY THE F.B.I DURING THE COURSE OF THEIR INVESTIGATION WHICH BEGAN 2010 AND WHERE SUCH INVESTIGATION RESULTED WITH NO ARREST AND NO FINDINGS THAT THE PLAINTIFF COMMITTED ANY FEDERAL CRIMES AS OF TODAY'S DATE MARCH 22, 2023, SOME 13 YEARS SINCE THE F.B.I INVESTIGATION BEGAN;

PG 5

- 1) THE PLAINTIFF WAS CONVICTED IN A STATE CIRCUIT COURT IN PRINCE WILLIAM COUNTY V.A AUGUST 29, 2014, FOR CRIMES AGAINST A MINOR. THE ACCUSER, KNOWN AS CURTIS HAZEN (C-H) ALLEGES THAT THE PLAINTIFF ABUSED HIM DURING THE TIMELINE OF 1996-1999 MAKING C-H BETWEEN 12-14 YEARS OF AGE. THE PLAINTIFF WOULD'VE BEEN APPROXIMATELY 25 YRS OF AGE.
- 2) STATES EVIDENCE SHOWS THAT C-H DIDN'T REPORT THE ALLEGED ABUSE UNTIL 2010 WHEN HE WAS 26 YRS OF AGE, MAKING THE PLAINTIFF 41. C-H WOULD TESTIFY UNDER OATH DURING A PRELIMINARY HEARING (JULY 2012) THAT HE AND HIS ADOPTED FATHER, LESTER HAZEN (L-H) FIRST REPORTED THE ALLEGATIONS TO THE FEDERAL BUREAU OF INVESTIGATION (F.B.I) RATHER THAN LOCAL AUTHORITIES (PRINCE WILLIAM COUNTY POLICE). C-H WOULD TESTIFY THAT HIS ADOPTED FATHER WAS AN F.B.I AGENT, SUPERVISOR FOR THE HOSTAGE NEGOTIATION TEAM AND THAT HE AND HIS FATHER DIDN'T TRUST LOCAL AUTHORITIES (P.W.C.P.D) WHICH IS WHY THEY CONTACTED THE F.B.I.

PG 6

3) FORMER PROSECUTOR JEANICE WIETHOP, OF THE PRINCE WILLIAM COMMONWEALTH OFFICE WOULD LATER COMPLY WITH A CIRCUIT COURT ORDER ON JANUARY 11, 2013, TO PROVIDE THE PLAINTIFF DEFENSE ATTORNEY WITH ALL KNOWN EXCULPATORY AND IMPEACHABLE EVIDENCE UNDER BRADY V. MARYLAND. ACCORDING TO THE "VERY" FEW REPORTS WIETHOP "INITIALLY" PROVIDED ON JANUARY 11TH, SHE OFFERED JUST TWO (2) FEDERAL FD-302 REPORTS.

A. ACCORDING TO WIETHOP EVIDENCE, F.B.I AGENT SHANE D. DANA WAS THE FIRST INVESTIGATOR TO INTERVIEW C-H AND HIS FATHER L-H, ON AUGUST 18, 2010. THE REPORT LARGELY DESCRIBED C-H ALLEGING THAT HE WOULD PRINKE WITH THE PLAINTIFF, PASS OUT AND AWAKE NUDE.

POST CONVICTION, THE PLAINTIFF WAS GIVEN ANOTHER COPY OF SA DANA REPORT, BY HIS P.W.C PROBATION OFFICER, KATHERN HEDGE, WHO PREPARED HIS PRESENTENCING REPORT, TO WHICH THE PLAINTIFF DETERMINED THAT THE F.B.I REPORT GIVEN BY PROSECUTOR WIETHOP HAD BEEN INFORMATION WHITED-OUT, (PG 3 LAST PAGE) OF SA DANA REPORT. HAS WIETHOP DELIBERATELY ALTERED A FEDERAL REPORT,

(CON'T NEXT PAGE)

PG 7

(CONT OF PG 6-A)

THE EVIDENCE WHITED-OUT (NOT REDACTED WITH BLACK MARKER) WERE EVIDENCE THAT SA DANA DISCUSSED WAYS WITH C-H TO WEAR A WIRE AND CONFRONT THE PLAINTIFF.

(SA DANA REPORT FILE NO. 209-C-WF-241138)

- B) ADDITIONALLY, ON JANUARY 11TH 2013, MRS - WIETHOR, ALSO PROVIDED ANOTHER FEDERAL REPORT, PREPARED BY F.B.I AGENT PRESTON BOSCH, FILE NO. 194D-WF-241902. THIS REPORT SIMPLY DESCRIBES SA BOSCH MEETING WITH C-H ON JANUARY 10, 2011, TO WHICH SA BOSCH SIMPLY STATES THAT C-H REITERATED THE SAME INFORMATION TOLD TO SA DANA ON AUGUST 18, 2010
- C) MRS WIETHOR INITIALLY AND DELIBERATELY HAD NOT PROVIDED THE PLAINTIFF ATTORNEY WITH MULTIPLE F.B.I STUNG PHONE OPERATION TRANSCRIPTS, WHERE THE F.B.I RECORDED CONVERSATION BETWEEN THE PLAINTIFF AND C-H FOR A PERIOD OF ONE YEAR DECEMBER 2010 - DECEMBER 2011.
- D) MRS WIETHOR INITIALLY AND DELIBERATELY FAILED TO PROVIDE A VIDEO INTERVIEW OF C-H THAT WAS CONDUCTED BY FBI CATHERINE CONNELL, ON OCTOBER 23, 2011, WHOM IS A

PG 8 (CONT OF PG 7-D)

FORENSIC SPECIALIST AND WHERE, SA PRESTON BUSH WAS PRESENT DURING THAT INTERVIEW.

THIS INTERVIEW, IN PART, SHOWS C-H ALLEGING THAT PRIOR TO MEETING THE PLAINTIFF, HE WAS SEXUALLY ABUSED BY AN OLDER NEIGHBORHOOD KID. THE PLAINTIFF POST CONVICTION EVIDENCE SHOWS THE FBI KNEW THESE NEW ALLEGATIONS ABOUT THE NEIGHBORHOOD KID WAS A LIE. C-H ALSO DESCRIBED, DURING THE F.B.I FORENSIC INTERVIEW, WHAT HE SAYS WAS THE FIRST INCIDENT OF SEXUAL ABUSE AND DURING THE STATES PRELIMINARY HEARING, HE DESCRIBED DESCRIBED AN ENTIRELY DIFFERENT TYPE FIRST INCIDENT, THAT, ACCORDING TO C-H, WAS NONSEXUAL IN NATURE.

E IT SHOULD BE NOTED THAT SA DANA MENTIONED IN HIS AUGUST 18, 2010 REPORT THAT HE ALSO INTERVIEWED L-H AND PREPARED A SEPARATE FD-302 FOR THAT INTERVIEW TO WHICH THE PLAINTIFF, NOR HIS ATTORNEY, HAS EVER RECEIVED THAT REPORT.

- OVER -

PG 9

F. THE LAST FEDERAL (KNOWN) REPORT MRS WISHNUP PROVIDED THE PLAINTIFF ATTORNEY ON JANUARY 11, 2013, AS PART OF THE COURTS BRADY / DISCOVERY ORDER, CAME FROM AN INTERVIEW SA DANA HAD WITH THE PLAINTIFF MARCH 2010. THIS INTERVIEW PERTAINED TO ALLEGATIONS THAT F.B.I SA DANA ACCUSES THE PLAINTIFF OF ENGAGING IN WHAT HE SUSPECTS AS PRESCRIPTION FRAUD, YET, - - - POST CONVICTION - - THE PLAINTIFF HAS FACTUAL EVIDENCE THAT WILL SHOW (IN PART) THE FBI USED THE PRESCRIPTION FRAUD OFFENSE AS A RUSE TO ACTUALLY INVESTIGATE THE PLAINTIFF FOR ALLEGATIONS C-H MADE TO THE F.B.I AND HIS FATHER THAT ^{HE} ~~THE~~ WAS DRUGGED AND MOLESTED BY THE PLAINTIFF.

THE PLAINTIFF WOULD LEARN, POST CONVICTION, THAT THE FBI'S SEARCH WARRANT WAS EXECUTED UNDER FAISE PRETENCES CLAIMING SUCH PROBABLE CAUSE WERE FOR FRUITS OF EVIDENCE FOR PRESCRIPTION FRAUD WHEN IN FACT THIS WAS FAISE, ACCORDING TO THE PLAINTIFF'S POST CONVICTION EVIDENCE.

PG 10

BRIEF BACKGROUND INFORMATION

THE PLAINTIFF LEFT / RESIGNED AS A LAW ENFORCEMENT OFFICER 2004, TO OWN AND OPERATE AN ICE CREAM NOVELTY SHOP. THE BUSINESS WAS A GREAT SUCCESS, TO WHICH THE PLAINTIFF EMPLOYED APPROX 12-15 SEASONAL WORKERS THAT CONSIST MOSTLY OF TEENAGERS OR COLLEGE KIDS. THE PLAINTIFF BECAME HEAVILY DEPENDENT ON SLEEPING PILLS BETWEEN 2008-2010.

CH (AGE 26) WAS KNOWN TO THE PLAINTIFF WHEN C-H WAS 14. C-H'S ADOPTED F.B.I FATHER WAS FRIENDS WITH THE PLAINTIFF. C-H, JOINED THE MILITARY 2002, DISHONORABLY DISCHARGED 2004, AND BECAME HEAVILY DEPENDENT ON DRUGS AND ALCOHOL. BETWEEN 2006-2009, C-H HAD BEEN CRIMINALLY ARRESTED, HE WOULD ^{EVENTUALLY} ~~BE~~ BE ADMITTED TO A MENTAL INSTITUTION AND DRUG — — REHABILITATION CENTER. ON JANUARY 17, 2010, C-H WAS PRACTICALLY DISOWNED BY HIS ADOPTIVE PARENTS, ALL OF WHICH THE PLAINTIFF KNEW LITTLE OF C-H'S STRUGGLES. C-H BORROWED \$3,000 DOLLARS FROM THE PLAINTIFF JANUARY 17, 2010.

PG-11

THE PLAINTIFF HIMSELF UNDERSTOOD C-H WAS ATTENDING REHAB, WHICH PROMPTED THE PLAINTIFF TO REVEAL TO C-H ABOUT HIS OWN ADDICTION - -- ONLY THE PLAINTIFF WAS ADDICTED TO SLEEPING PILLS PRESCRIBED TO HIM BY DOCTORS. THE PLAINTIFF REVEALED TO C-H HE'S BEEN SEEING MULTIPLE DOCTORS TO OBTAIN SLEEPING PILLS.

ON OR ABOUT MARCH 8, 2010, AGENT SHANE DANA WITH THE F.B.I, ALONG WITH APPROX 25 FEDERAL AGENTS, SURPRISED THE PLAINTIFF AS THEY EXECUTED A SEARCH WARRANT ON THE PLAINTIFF'S RESIDENCE AT 16415 STEERAGE CIR, WOODBRIDGE V.A (SEARCH WARRANT NO. 1:10sw123

SA DANA WOULD EVENTUALLY PROVIDE THE PLAINTIFF ATTORNEY A COPY OF THE SEARCH WARRANT AFFIDAVIT, TO WHICH IT DESCRIBES THE F.B.I'S PROBABLE CAUSE THAT THE PLAINTIFF WAS BEING INVESTIGATED FOR PRESCRIPTION FRAUD.

THE AFFIDAVIT DESCRIBES THE PLAINTIFF HAD BEEN UNDER "ROUND THE CLOCK" SURVEILLANCE BY THE F.B.I BETWEEN JANUARY AND EARLY MARCH 2010.

~~EX-2~~

PG 12

THE AFFIDAVIT SHOWS SA DANA WAS TOLD ON JANUARY 20, 2010, BY A SOURCE SA DANA FAILED TO IDENTIFY IN HIS AFFIDAVIT, THAT THE PLAINTIFF WAS OBTAINING HUNDREDS OF PRESCRIPTIONS FOR SLEEPING PILLS, NAMELY A DRUG CALLED AMBIEN. SA CONFIRMED THIS SOURCE'S INTEL, ON JANUARY 21, 2010, BY EXAMINING DATA SUPPLIED BY THE VIRGINIA PRESCRIPTION MONITOR PROGRAM.

ALTHOUGH THE PLAINTIFF'S COMPUTERS AND CELLPHONES WERE SEIZED, THERE WERE OTHER ITEMS ALSO SEIZED BY THE FBI THAT MADE NO SENSE TO THE PLAINTIFF THAT WAS, (ACCORDING TO THE F.B.I) SUPPOSEDLY TO BE FOR A PRESCRIPTION FRAUD INVESTIGATION, SUCH AS, BUT NOT LIMITED TO;

(1) A SILVER SPOON, DISCOVERED ON THE PLAINTIFF'S BEDROOM NIGHTSTAND,

(2) A WALLET SIZE PHOTO, DEPICTING AN ADULT STUDENT WEARING HIS HIGH-SCHOOL GRADUATION GOWN. THIS PHOTO WAS DISCOVERED ON THE KITCHEN ISLAND.

(OVER)

PG 13

(3) A HOLIDAY CHRISTMAS PHOTO DEPICTING AROUND WITH MALE CHILDREN, FOUND IN THE MASTER BATHROOM DRAW, ALONG WITH OTHER MAIL,

THE PLAINTIFF WAS INTERVIEWED BY SA DANA AT HIS RESIDENCE AND AT THE PRINCE WILLIAM COUNTY POLICE STATION. AT NO POINT DID SA DANA QUESTIONED THE PLAINTIFF REGARDING C-H OR ANY SUSPICION THAT HE IS SUSPECTED OF ABUSING C-H OR MALE TEENS,

SA DANA INFORMED THE PLAINTIFF THAT A TEAM OF INVESTIGATORS WERE AT AREA HIGH-SCHOOLS INTERVIEWING STUDENTS THAT WERE SEEN AT THE PLAINTIFF'S RESIDENCE, WHEN HE WAS UNDER F.B.I SURVEILLANCE, THAT SOME CLAIMED TO BE IN HIS HOT TUB NUDE OR WERE SMOKING MARIJUANA, THE PLAINTIFF REFUSED TO DISCUSS MATTERS HE HAD NO IDEA WHAT SA DANA WAS SPEAKING ABOUT OR WHOM,

SA DANA NEVER BROUGHT UP ANY OTHER ALLEGED INCIDENT RELATED TO CHILDREN AND STAYED FOCUSED ON THE PLAINTIFF'S DOCTOR SHOPPING FOR SLEEPING PILLS.

PG 14

THE RESULTS OF THE F.B.I SEARCH OF THE PLAINTIFF RESIDENCE, TO INCLUDE THEIR SURVEILLANCE OF THE PLAINTIFF PRODUCED NO EVIDENCE TO WARRANT ANY FEDERAL CHARGES FOR PRESCRIPTION FRAUD. THE PLAINTIFF CELLPHONE(S) AND COMPUTER(S) WERE FORENSICALLY EXAMINED, SURVEY BY THE F.B.I AND NO EVIDENCE WERE FOUND TO SUGGEST THAT THE PLAINTIFF ENGAGES IN CRIMINAL CONDUCT.

THE PLAINTIFF LEARNED FROM SPEAKING WITH HIS MALE EMPLOYEES, THAT THEY WERE SPECIFICALLY ASKED IF THE PLAINTIFF HAD OFFERED THEM SLEEPING PILLS, OR BELIEVED THEY'VE BEEN DRUGGED BY THE PLAINTIFF AND HAD THE PLAINTIFF SEXUALLY ABUSED THEM. THOSE WHOM QUESTIONED THE PLAINTIFF, WERE THOSE AGENTS AND DETECTIVES AGENT SHANE WANA TOLD THE PLAINTIFF WERE AT THERE HIGH-SCHOOLS.

THE PLAINTIFF WAS DISTURBED THAT SUCH QUESTIONS WERE ASKED FOR A PRESCRIPTION FRAUD INVESTIGATION, BUT THOUGHT NOTHING OF IT AT THE TIME.

- OVER -

PG 15

ONE MONTH AFTER THE F.B.I SEARCHED THE PLAINTIFF RESIDENCE, THE F.B.I EXECUTED ANOTHER SEARCH WARRANT ON THE PLAINTIFF FORMER EMPLOYER GOVERNMENT BUILDING (DUMFRIES POLICE DEPT) EARLY APRIL 2000.

THE PLAINTIFF WOULD LATER BE TOLD BY THE FORMER CHIEF OF POLICE, THE LATE CALVIN JOHNSON, THAT HE THOUGHT THE SEARCH RELATED TO THE PLAINTIFF, BUT WAS UNABLE TO VERIFY THIS BECAUSE HE WAS FORCED TO RESIGN WEEKS BEFORE THE F.B.I EXECUTED ITS SEARCH WARRANT.

THE PLAINTIFF CAN STATE AFFIRMATIVELY THAT HE WATCHED A NEWS CONFERENCE BROADCASTED ON LOCAL STATIONS, SHOWING FORMER CHIEF COMMONWEALTH PROSECUTOR, PAUL EBERT, FOR P.W.C, SURROUNDED BY WHAT APPEARED TO BE F.B.I AGENTS, AND OTHER INVESTIGATORS ALIKE, REFUSING TO ADDRESS SPECIFICALLY WHY THE F.B.I SEIZED DOCUMENTS FROM THE DUMFRIES POLICE AND WHO THE SEARCH RELATED TO.

- END OF BACK GROUND -

- OVER -

PG 16

119

F. THE PLAINTIFF WAS ARRESTED MARCH 2012 BY THE P.W.C POLICE ON 23 FELONY CHARGES (3-A) FOR ALLEGEDLY ABUSING C-H BETWEEN 1996-1999 MAKING C-H BETWEEN 12-14 YRS OLD.

DURING PRELIM, 16 CHARGES WERE DISMISSED. A GRAND JURY CONVENED THEREAFTER WHERE THE PLAINTIFF WAS SERVED 15 INDICTMENTS AND A YEAR THEREAFTER, AS THE TRIAL KEPT GETTING CONTINUED, FORMER PROSECUTOR WOULD DISMISS ALL SEVEN INDICTMENTS SHOWING A TIMELINE WHEN C-H WAS 12 YEARS OLD, CITING TO THE JUDGE THAT C-H DISCOVERED ON HIS OWN, HE MET THE PLAINTIFF AT AGE 13, NOT 12. * AGE IS A CRITICAL ELEMENT THE STATE OF VIRGINIA MUST ESTABLISH BEFORE ARRESTING AND CONVICTING ANY SUSPECT IN A CHILD RAPE CASE.

ANALYSIS OF THE PLAINTIFF POST CONVICTION EVIDENCE THAT COMPELLED THE PLAINTIFF TO FILE A FREEDOM OF INFORMATION ACT WITH THE DEPT OF JUSTICE AND THE F.B.I

- OVER -

P17

1. THE PLAINTIFF STATE WRIT HABEAS PETITION CASE NO CM 19-872 & CL 20-3921, WILL FACTUALLY DEMONSTRATE, ACCORDING TO CLAIMS NO. 1 (A-L), 4, 6, 8, 10, 11, 12 (A-E) 13 (A & B), THAT THE F.B.I., SPECIFICALLY SA DANA & SA PRESTON BOSH, ENGAGED IN A CONDUCT SO THAT TO OBSTRUCT JUSTICE, BY, IN PART, ALTERING A TIMELINE TO PREVENT THE PLAINTIFF FROM KNOWING THAT C-H AND HIS F.B.I FATHER, L.H, CAME FORWARD JANUARY 20, 2010 TO REPORT HE WAS DRUGGED AND MOLESTED AND INSTEAD, SA DANA, GENERATED FEDERAL REPORTS MAKING IT APPEAR C-H FIRST CAME FORWARD AUGUST 18, 2010.
2. THE ABOVE MENTIONED CLAIMS DESCRIBE HOW THE PLAINTIFF CONDUCTED AN EXTENSIVE, POST-CONVICTION, INDEPENDENT INVESTIGATION AND FACTUALLY CONCLUDED, THAT C-H WAS INITIALLY TREATED BY THE F.B.I (PRIMARILY) SA SHANE DANA, AS AN INFORMANT OR RELIABLE SOURCE OF INFORMATION, SINCE IT WAS C-H (THE PLAINTIFF DETERMINED), TIPPED THE F.B.I OFF BY INFORMING AGENTS REGARDING THE PLAINTIFF IS DOCTOR SHOPPING FOR PILLS.

P18

H.04.2012.1097.000

P129

3. SADANA SEARCH WARRANT AFFIDAVIT DESCRIBES AN UNKNOWN/UNMENTIONED INDIVIDUAL TOLD SADANA THIS INTEL ON JANUARY 20, 2010 -- THAT "SOMEONE" (THE PLAINTIFF DETERMINED POST CONVICTION) WAS C-H AND HIS FATHER. THE PLAINTIFF HAS DOCUMENTATION THAT C-H'S ADOPTED F.B.I FATHER L-H, DID NOT INITIALLY BELIEVED C-H WAS ABUSED, THAT L-H DIRECTLY ACCUSED C-H OF MAKING THESE ALLEGATIONS UP TO TAKE ATTENTION OFF HIMSELF DUE TO HIS OWN RECENT TROUBLE WITH LAW ENFORCEMENT. THE F.B.I CONFIRMED C-H'S INTEL RELATED TO THE PLAINTIFF DOCTOR SHOPPING ON JANUARY 21, 2010 AND BEGAN CONDUCTING ROUND THE CLOCK SURVEILLANCE OF THE PLAINTIFF.

4. THE PLAINTIFF EVIDENCE HIGHLY SUGGEST L-H WAS MORE COMFORTABLE THAT THE F.B.I TREAT C-H AS AN INFORMANT AND NOT AS A VICTIM OF SEXUAL ABUSE, AND RATHER USE C-H'S PRESCRIPTION FRAUD INTEL AS A RUSE TO EXECUTE A SEARCH WARRANT ON THE PLAINTIFF RESIDENCE, BELIEVING --

- OVER -

PG 19

CONT FOR LINE NO. 4

--- THEY WOULD DISCOVER, AT BEST, EVIDENCE ON THE PLAINTIFF COMPUTER/CELLPHONES THAT WOULD CORROBORATE C-H'S ALLEGATIONS THAT THE PLAINTIFF ABUSES CHILDREN OR ENGAGED SEXUALLY INAPPROPRIATELY WITH MINORS.

5. ACCORDING TO THE PLAINTIFF POST CONVICTION EVIDENCE, C-H TOLD THE F.B.I HE WAS ABUSED BEGINNING WHEN HE WAS 12, AND CONTINUED TO WHEN HE WAS 13. HE DESCRIBED ALSO TO THE F.B.I, THAT HE ONCE TEMPORARILY LIVED WITH THE PLAINTIFF WHEN HE WAS A TEENAGER AT AN APARTMENT THE PLAINTIFF LEASED. C-H DESCRIBED AN INCIDENT HAD OCCURRED BETWEEN HE AND THE PLAINTIFF, TO WHICH INVOLVED (IN PART) ARGUING THAT CAUSED NEIGHBORS TO CALL THE POLICE.

POST CONVICTION THE PLAINTIFF FACTUALLY CAN PROVE C-H TOLD THE F.B.I MULTIPLE DIFFERENT STORIES RELATED TO THIS "APARTMENT" "APARTMENT INCIDENT" THAT RANGED FROM FINDING THE PLAINTIFF TRYING TO MOLEST HIM WHILE HE WAS ASLEEP, TO WHICH

(CONT PG 20)

PG 20 (CONT PG 19 #5)

--- HE TRIED LEAVING THE APARTMENT AND NEIGHBORS CONTACTED THE POLICE, TO THAT OF THE PLAINTIFF MOLESTING HIM AND C-H CLAIMED HE RECEIVED A BLOODY NOSE DEFENDING HIMSELF. EVIDENCE SHOWS POST CONVICTION THAT C-H CONVINCED THE F.B.I THAT THE PLAINTIFF, (POLICE) SUPERVISORS WITH DUMFRIES WERE AWARE OF WHAT WAS HAPPENING, INTERVIEWED C-H DURING AN INTERNAL INVESTIGATION AND THEY (DUMFRIES) COVERED-UP THE PLAINTIFF BEHAVIOR.

6) AS A RESULT OF THESE VARIOUS "APARTMENT INCIDENTS" THE PLAINTIFF EVIDENCE SHOWS A MONTH AFTER THEY SEARCHED THE PLAINTIFF RESIDENCE, THE F.B.I EXECUTED ANOTHER SEARCH WARRANT ON DUMFRIES POLICE DEPT. THE F.B.I WOULD SEIZE THAT I/A INVESTIGATION REPORT AND DETERMINED GH LIED TO FEDERAL AGENTS, AS THEY LEARNED THAT C-H TOLD I/A DUMFRIES P.D, 8-2001, THAT HE WAS REBELLING BY WANTING TO LEAVE THE APT LATE AT NIGHT, TO BE WITH HIS FRIENDS, THAT THE PLAINTIFF TRIED TO ---

(-OVER-

PG 21 (CONT #6)

-- STOP C-H, THAT C-H SHAMMED THE PLAINTIFF AGAINST THE WALL AND THAT IT WAS C-H'S ACTIONS / BEHAVIOR, THAT HAD NEIGHBORS CALLING POLICE.

7) THE F.B.I WOULD LEARN THAT DUMFRIES POLICE I/A INTERVIEWED C-H AND BOTH HIS PARENTS. THE PLAINTIFF DID NOT VIOLATE ANY LAWS OR POLICE POLICIES AS A RESULT OF THAT APT INCIDENT. THE I/A REPORT ALSO SHOWS EVIDENCE C-H DID NOT KNOW THE PLAINTIFF UNTIL AFTER HE TURNED 14. THE F.B.I WOULD DETERMINE C-H LIED WHEN HE ALLEGED THE PLAINTIFF MOLESTED HIM WHEN HE WAS 12-13 YRS OLD, BECAUSE THE PLAINTIFF DID NOT KNOW HIM. THE F.B.I DISCOVERED ADDITIONAL PHYSICAL EVIDENCE, (POST CONVICTION) THAT CONSIST OF A LETTER THAT L-H HAD ACTUALLY WRITTEN TO THE PLAINTIFF CHIEF OF POLICE, DURING HIS TENURE WITH THE F.B.I, THE LETTER WAS DATED OCTOBER 1998, DESCRIBING SPECIFICALLY, IN PART, C-H WAS 14 WHEN HE FIRST MET THE PLAINTIFF.

PG 22

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8) THE PLAINTIFF POST CONVICTION EVIDENCE SHOWS, PER HIS WRIT HABEAS PETITION, THAT AFTER THE SEARCH OF BOTH LOCATIONS, THE F.B.I HAD EVIDENCE THAT SHOWED, IN PART, C-H LIED ABOUT THE ABUSE, JUST AS EVIDENCE WILL PROVE (DISCOVERED POST CONVICTION) C-H'S F.B.I FATHER STRONGLY SUSPECTED HIS OWN (ADOPTED) SON WAS A LIAR. ADDITIONALLY, THE PLAINTIFF EVIDENCE FACTUALLY SHOWS C-H REPORTED THE ALLEGED ABUSE JANUARY 20, 2010, --- THAT HE'S THE "UNIDENTIFIABLE" SOURCE MENTIONED IN SA DANA SEARCH WARRANT AFFIDAVIT, AND THAT -- BEFORE REPORTING THE ALLEGED ALLEGATIONS, C-H DID IN FACT BORROWED \$3,000 DOLLARS FROM THE PLAINTIFF JANUARY 17TH, CASHED THE CHECK JANUARY 19TH, 2010 AND THEN REPORTS ALLEGED ABUSE TO HIS FATHER/F.B.I JANUARY 20TH, NOT MENTIONING THE LOAN.

THE F.B.I WOULD LATER (ACCORDING TO POST CONVICTION EVIDENCE) - DISCOVER THE LOAN WHEN EXAMINING THE PLAINTIFF FINANCIAL RECORDS.

SHOULD WE KNOW TOO THE FACT THAT - COVER -

... TO ...

PG 23

9) THE PLAINTIFF EVIDENCE SHOWS, ACCORDING TO VARIOUS CLAIMS, PER HIS STATE WRIT HABEAS PETITION, THAT THE F.B.I REFRAINED FROM CONFRONTING C-H WITH HIS, DISCREPANCIES, LIES AND INCONSISTENCIES BECAUSE BY DOING SO WOULD RESULT IN HAVING TO CHARGE C-H CRIMINALLY FOR (AT BEST) LYING TO FEDERAL AGENTS. PLAINTIFF'S EVIDENCE SHOWS THERE SEEMS TO BE MORE OF AN INTEREST PROTECTING THE REPUTATION OF A FBI COLLEAGUE (L-H) FROM ANY EMBARRASSMENT THAT HIS ADOPTED SON HAD OBSTRUCTED JUSTICE, THAT POST CONVICTION WILL FACTUALLY SHOW THE F.B.I, PARTICULARLY SA DANA, DONE THE "UNTHINKABLE", BY GENERATING A FICTITIOUS, FEDERAL REPORT, MAKING IT APPEAR, C-H AND HIS FATHER, CAME FORWARD AUGUST 18, 2010.

SA DANA WILL ALSO, FAISELY, WRITE IN HIS REPORT THAT C-H WAS SEXUALLY ABUSED, BEGINNING WHEN HE WAS 12, WHEN IN FACT, SA DANA WAS IN POSSESSION OF PHYSICAL DOCUMENTS, SEIZED FROM DOMFRIES POLICE, PROVING, THE PLAINTIFF DID NOT KNOW C-H WHEN HE WAS 12 OR 13 YRS OF AGE.

PG 24

26-27

34 30. THE PLAINTIFF, POST CONVICTION, HAS PHYSICAL
 1,57731 DOCUMENTS SHOWING C-H, IN HIS OWN
 1,57731 WORDS, UNDER OATH, AND PRIOR TO INDICT-
 1,57731 MENTS BEING OBTAINED, STATED THAT
 1,57731 AFTER HE CASHED THE \$3,000 CHECK ON
 1,57731 JANUARY 19TH, HE TOLD HIS FATHER ABOUT
 1,57731 THE ~~THE~~ ALLEGED ABUSE AND THEY BOTH
 1,57731 CONTACTED THE F.B.I, BECAUSE THEY
 1,57731 DID NOT TRUST LOCAL POLICE. HOWEVER,
 1,57731 THE (INITIAL) LEAD STATE PROSECUTOR, MRS-
 1,57731 WIETHOR, HAD THE DEFENSE BELIEVING,
 1,57731 (BASED ON MANIPULATED AND ALTERED DISCOVERY
 1,57731 EVIDENCE SHE PROVIDED) THAT SADANA
 1,57731 FIRST MET C-H AND HIS FATHER AUGUST 18,
 1,57731 2010 (NOT JANUARY 2010), TO WHICH, SHE
 1,57731 WOULD (UNDER MYSTERIOUS CIRCUMSTANCES)
 1,57731 LEAVE HER JOB AS A PROSECUTOR, THREE
 1,57731 WEEKS BEFORE TRIAL,

1,57731 ACCORDING TO THE PLAINTIFF POST
 1,57731 CONVICTION EVIDENCE, THE NEWLY APPOINTED
 1,57731 PROSECUTORS, JAMES WILLET AND LAUREN POMERANTZ,
 1,57731 CONSPIRED WITH L-H TO TESTIFY, UNDER
 1,57731 OATH, TO THE FOLLOWING :

- OVER -

PG 25

PG 29

A. THAT HIS SON WAS LIVING WITH HIM JUNE 2010, AT AGE 26, AND THAT HE WROTE A LETTER DESCRIBING HOW THE PLAINTIFF ABUSED HIM, LEFT THE LETTER ON A DESK IN HIS (L-H'S) BEDROOM AND MENTIONED IN THE LETTER FOR L-H TO NOT CONFRONT HIM ABOUT THE LETTER UNTIL HE (C-H) WAS READY TO DISCUSS IT

B. L-H TESTIFIED HE DIDN'T CONFRONT C-H BECAUSE QUOTE; "I WANTED MY SON TO FIGHT THIS BATTLE ON HIS OWN" END QUOTE. L-H TESTIFIED ON JULY 9TH, 2010, HE RECEIVES A CALL FROM THE PLAINTIFF, THAT THE PLAINTIFF TOLD L-H, HOW THE F.B.I EXECUTED A SEARCH WARRANT ON HIS RESIDENCE MARCH 2010 FOR PRESCRIPTION FRAUD FOR SLEEPING PILLS, L-H TESTIFIED, AFTER THAT CALL, HE ENCOURAGED C-H TO CONTACT THE F.B.I FOR FEAR THE PLAINTIFF MAY BE USING THE SLEEPING PILLS ON CHILDREN. THAT L-H CONTACTED THE AGENT WHO EXECUTED THE SEARCH WARRANT (SA DANA) ON JULY 10, 2010.

PG 26

3. 11. POST CONVICTION EVIDENCE PROVES, STATE PROSECUTORS NEVER PROVIDED THE DEFENCE WITH ANY EVIDENCE AND THE INFORMATION THAT L-H TESTIFIED TO. TRIAL WAS THE FIRST TIME EVER THE PLAINTIFF HEARD EVIDENCE THAT C-H WROTE SOME LETTER TO HIS FATHER, JUNE 2010, THEN CONTACTED THE F.B.I JULY 10, 2010, OR THAT HIS FATHER RECEIVED A CALL FROM THE PLAINTIFF. FURTHERMORE, SA DANA DID FURNISH STATE PROSECUTORS WITH A FD 302 REPORT, DATED AUGUST 18, 2010, AND ALTHOUGH, POST CONVICTION, THE PLAINTIFF ACCUSES SUCH REPORT TO BE FICTITIOUSLY GENERATED, NONETHELESS, IT SHOWS THIS WAS THE FIRST TIME L-H & C-H WAS INTERVIEWED BY SA DANA.

* ASSUMING L-H'S TESTIMONY WAS TRUTHFUL, COMMON SENSE DICTATES THAT HAD L-H CONTACTED THE F.B.I JULY 10, 2010, AS AN AGENT HIMSELF, TO REPORT HIS SON WAS SEXUALLY ABUSED BY A FORMER POLICE DETECTIVE - - - THEN ANSWERS MUST BE GIVEN TO THE PLAINTIFF AS TO WHY THE F.B.I (SA DANA) WAITED (40) FORTY DAYS (8-18-2010) TO INTERVIEW CH/LH?

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PG 28

CONCLUSION OF FINAL ANALYSIS

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12. THE PLAINTIFF POST CONVICTION EVIDENCE SHOWS THAT HAD IT NOT BEEN FOR THE PLAINTIFF, HIRING A COURT REPORTER TO TRANSCRIBE C-H'S TESTIMONY DURING THE PRELIMINARY HEARING IN THE CIRCUIT JUVENILE COURT OF PRINCE WILLIAM COUNTY, THEN EVIDENCE HIGHLY SUGGEST THAT STATE PROSECUTORS, MRS WIETHOR, MR WILLET, AND MRS POTERANZ, INTENDED ON USING ALL EVIDENCE COLLECTED BY THE F.B.I, SUCH AS, PHONE STING REPORTS, SURVEILLANCE REPORTS, C-H'S ORIGINAL STATEMENTS, THAT THE F.B.I COLLECTED JANUARY 2010 AND THAT ANY "DISCREPANCIES" C-H TOLD THE F.B.I, (POST CONVICTION EVIDENCE) SUGGEST THAT STATE PROSECUTORS INTENDED TO MAKE USE OF THAT F.B.I FORENSIC C-H HAD WITH CATHERINE CONNELL, TO WHICH THIS FORENSIC SPECIALIST, WAS ESSENTIALLY GOING TO OFFER EXCUSES OR EXPLANATIONS WHY C-H WASN'T TRUTHFUL, OR MORE FORTHCOMING --- HOWEVER --- ANY HOPE STATE PROSECUTORS COULD MAKE USE OF THE F.B.I EVIDENCE WERE MET WITH GREAT RESISTANCE BECAUSE OF THE LIES C-H TESTIFIED TO UNDER OATH, CONTRARY TO WHAT HE TOLD THE FBI, BEGINNING JANUARY/2010.

- OVER -

G28

13. THAT BECAUSE THE PRELIMINARY HEARING WAS C-H'S ONLY SWORN TESTIMONY, THOSE TRANSCRIPTS COULD BE USED AGAINST HIM IN A FEDERAL INVESTIGATION SHOULD THE DEFENSE COME INTO POSSESSION OF THOSE F.B.I. REPORTS, BOTH THE F.B.I. AND STATE PROSECUTORS CONCEALED, ALTERED AND TAMPERED WITH, IN ORDER TO DIVERT JUSTICE FROM BEING SERVED AND TO HAVE THE PLAINTIFF WRONGLY ARRESTED AND CONVICTED. EMPHASIS ADDED

CONCLUSION OF CLAIM # 1

PG 29

STATE WHAT RELIEF YOU SEEK FROM
THE COURT. MAKE NO LEGAL ARGUMENT
AND CITE NO CASES OR STATUTES

1) BECAUSE THE PLAINTIFF³ FILED A WRIT
ACTUAL INNOCENCE PETITION, (SEE ATTACHED
COURT DOCUMENT RECORD NO 1792-22-4), TO
WHICH HE DOES, IN PART, ACCUSES THE F.B.I
OF (AT BEST) OBSTRUCTING JUSTICE AND
WHERE HIS PETITION IS SUMMARILY
DISMISSED AND UNDER APPEAL, HE'S
REQUESTING THIS HONORABLE COURT TO
ORDER THE DEPT OF JUSTICE AND THE
F.B.I, TO;

A. PROVIDE ALL COPIES OF ALL FD-302 REPORTS,
TO INCLUDE, ALL INTERVIEWS FOR C-H AND
L-H, TO THAT OF ALL INVESTIGATIVE
REPORTS, AFFIDAVITS, SUBPOENAS, PETITIONS,
SURVEILLANCE REPORTS, LIST OF NAMES
AND AGENCIES OF ALL WHO INVESTIGATED,
AND OR ASSISTED THE F.B.I, TO THAT
OF SWORN TRANSCRIPT AND ALL REPORTS
PREPARED BY, SPECIFICALLY, FORENSIC
SPECIALIST, CATHERINE CUNNEL, TO THAT
OF SEARCH WARRANT AFFIDAVITS.

- 0412 -

PG 30

B. THE PLAINTIFF'S EVIDENCE SHOWS THAT THE F.B.I. DID IN FACT EXECUTE A SEARCH WARRANT ON THE TOWN OF DUFFRIES POLICE DEPT, SEIZING DOCUMENTS FROM FILES RELATED TO THE PLAINTIFF AND WHERE HE REQUEST COPIES OF THOSE SAME TYPES OF PARTICULARS THAT ARE MENTIONED IN SUBPARAGRAPH A. THIS INCLUDED THAT INTERNAL INVESTIGATION REPORT MENTIONED THROUGHOUT CITED ONE.

THE PLAINTIFF FEELS HIS REQUEST IS REASONABLE, GIVEN THE FACT, C-H AND HIS FATHER FIRST CONTACTED THE F.B.I AND MADE IT CLEAR, THEY DID NOT TRUST LOCAL POLICE. LASTLY, THE F.B.I BEGAN THEIR INVESTIGATION 2010, AND IT'S BEEN 13 YRS AND AT NO POINT HAS THE PLAINTIFF BEEN CHARGED FOR ANY FEDERAL CRIMES, YET, THE PLAINTIFF EVIDENCE SHOWS, THE INVESTIGATION INITIATED BY THE F.B.I WILL ASSIST THE PLAINTIFF TO PROVE HIS ACTUAL INNOCENCE.